

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** By **CHAIRMAN VICKI COCCHIARELLA**, on March 20, 2007  
at 9:00 A.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Vicki Cocchiarella, Chairman (D)  
Sen. Joe Balyeat (R)  
Sen. Roy Brown (R)  
Sen. John Esp (R)  
Sen. Verdell Jackson (R)  
Sen. Lane L. Larson (D)  
Sen. Don Ryan (D)  
Sen. Frank Smith (D)  
Sen. Carolyn Squires (D)  
Sen. Donald J. Steinbeisser (R)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Claudia Johnson, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 537, 3/15/2007; HB 496,  
3/15/2007; HB 412, 3/15/2007; HB  
633, 3/14/2007  
Executive Action: HB 412, HB 633

00:06:01 Chairwoman Cocchiarella

**HEARING ON HB 537**

**Opening Statement by Sponsor:**

00:06:55 **REP. RICK RIPLEY (R)**, HD 17, opened the hearing on **HB 537**, Revise state hail insurance laws.

**Proponents:**

00:09:19 William Roehm, Vice President, Montana Grain Growers Association

00:11:46 Charles Crane, Grain Farmer

**EXHIBIT (bus59a01)**

00:14:55 Rodney Cole, Grain Farmer

**EXHIBIT (bus59a02)**

00:16:38 David McClure, President, Montana Farm Bureau

00:18:45 Greg Hodgekiss, Choteau

00:21:58 Gary Gollehon, Brady

00:24:49 Jack Gunderson, Self

**Opponents:**

00:26:31 Roger McGlenn, Executive Director, Montana Independent Insurance Agents

00:30:53 Barry Newmak, Hail Insurance Agent (for whom)

00:36:44 Greg Van Horssen, State Farm Insurance Companies

00:37:49 Matt Elsaesser, Farmers Union Mutual Insurance Company

**EXHIBIT (bus59a03)**

**Informational Testimony:**

00:38:15 Randy Wilke, Department of Revenue (DOR)

00:39:49 Lee Boyer, Montana Department of Agriculture

00:40:09 Mary Kindberg, Property and Casualty (DOR)

**Questions from Committee Members and Responses:**

00:40:57 Sen. Ryan to Rodney Cole, Grain Farmer

00:46:13 Sen. Ryan to Charles Crane, Grain Farmer

00:47:44 Sen. Ryan to Barry Newmack, Great Falls

00:54:07 Sen. Steinbeisser to Barry Newmack, Great Falls

00:55:05 Sen. Brown to Randy Wilke, DOR

00:57:08 Sen. Brown to Rep. Ripley

00:57:46 Sen. Jackson to Rep. Ripley

00:59:21 Sen. Jackson to Lee Boyer, Department of Agriculture

01:02:53 Sen. Squires to Lee Boyer, Department of Agriculture

01:03:27 Sen. Ryan to Lee Boyer, Department of Agriculture

01:05:35 Sen. Tropila to Jack Gunderson, Self

01:06:14 Sen. Cocchiarella to Barry Newmack, Great Falls

01:09:36 Sen. Cocchiarella to Roger McGlenn, Montana Independent  
Insurance Agents

01:10:54 Sen. Cocchiarella to Rodney Cole, Grain Farmer

**Closing by Sponsor:**

01:11:45 Sen. Ripley

**HEARING ON HB 496**

**Opening Statement by Sponsor:**

01:16:25 **REP. JULIE FRENCH (D), HD 36**, opened the hearing on **HB 496**, APRN authority to complete driver medical exams.

**Proponents:**

01:19:01 Don Judge, Montana Nurses Association (MNA)

**EXHIBIT (bus59a04)**

01:21:27 Casey Blumenthal, Montana Hospital Association (MHA)

01:22:21 Spook Stang, Executive Director, Montana Motor Carriers Association (MMCA)

01:23:14 Margaret Morgan, Montana Association of Nurse Anesthetist

01:23:51 Gary Macdonald, Roosevelt County Commissioner

**Opponents:**

**Informational Testimony:**

**Questions from Committee Members and Responses:**

01:24:46 Sen. Esp to Rep. French

01:25:42 Sen. Squires to Casey Blumenthal, MHA

01:28:04 Sen. Cocchiarella to Spook Stang, MMCA

**Closing by Sponsor:**

01:28:50 Rep. French

**HEARING ON HB 412**

**Opening Statement by Sponsor:**

01:29:33 **REP. BOB EBINGER (D), HD 62**, opened the hearing on **HB 412**, Allow transactions between public benefit corporations.

**Proponents:**

01:31:55 Sam Pleshar, CEO, Livingston Health Care

01:33:46 Ken Frazier, Attorney representing Billings Clinic

01:38:06 Anthony Johnstone, Attorney General's Office,  
Department of Justice (DOJ)

01:40:16 Jim Ahrens, Montana Hospital Association

01:40:27 Janie McCall, Billings Clinic

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:41:09 Sen. Cocchiarella to Anthony Johnstone, DOJ

01:43:23 Sen. Esp to Ken Frazier, Attorney representing Billings  
Clinic

01:44:10 Sen. Tropila to Ken Frazier, Attorney representing  
Billings Clinic

**Closing by Sponsor:**

01:44:28 Sen. Ebinger

**HEARING ON HB 633**

**Opening Statement by Sponsor:**

01:50:38 **REP. ERNIE DUTTON (R), HD 56**, opened the hearing on **HB 633**, Revise quota lottery liquor license applications and prohibit gambling.

**Proponents:**

01:53:39 Chris Gallus, Staples Law Firm, Montana Tavern  
Association (MTA)

02:00:29 Brad Griffin, Montana Restaurant Association

**Opponents:** None.

**Informational Testimony:**

02:02:40 Shauna Helfert, Administrator of Liquor Division,  
Department of Revenue (DOR)

02:03:10 Gene Huntington, Administrator of Gaming, Department of Justice (DOJ)

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

02:03:35 Rep. Ebinger

**EXECUTIVE ACTION ON HB 412**

02:04:31 **Motion/Vote:** SEN. TROPILA moved that HB 412 BE CONCURRED IN. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 633**

02:05:21 **Motion:** SEN. ESP moved that HB 633 BE CONCURRED IN.

**Discussion:**

02:06:19 Sen. Brown

02:06:22 Sen. Cocchiarella

02:07:03 Sen. Brown to Sen. Cocchiarella

02:09:04 Sen. Cocchiarella to Jason Wood, Supervisor of Licensing Bureau, Department of Revenue (DOR)

02:11:54 Sen. Ryan to Jason Wood, DOR

02:13:52 Sen. Cocchiarella to Jason Wood, DOR

02:14:05 Sen. Tropila to Jason Wood, DOR

02:14:56 Sen. Brown to Jason Wood, DOR

02:15:30 **Motion/Vote:** SEN. COCCHIARELLA moved that HB 633 BE CONCURRED IN. Motion carried 10-1 by voice vote with SEN. SMITH voting no.

**ADJOURNMENT**

Adjournment: 11:11 A.M.

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SEN. VICKI COCCHIARELLA, Chairman

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CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

**EXHIBIT ([bus59aad.pdf](#))**